

Senate, April 8, 1998. The Committee on Judiciary reported through SEN. WILLIAMS, 29th DIST., Chairman of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING JUDGES, MAGISTRATES, REFEREES AND COMPENSATION COMMISSIONERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 51-47 of  
2 the general statutes, as amended by section 4 of  
3 public act 97-1 of the July 21 special session, is  
4 repealed and the following is substituted in lieu  
5 thereof:

6 (a) The judges of the Superior Court, judges  
7 of the Appellate Court and judges of the Supreme  
8 Court shall receive annually salaries as follows:

9 [(1) On and after July 1, 1996, (A) the Chief  
10 Justice of the Supreme Court, one hundred  
11 twenty-three thousand five hundred seventy-six  
12 dollars; (B) the Chief Court Administrator if he  
13 is a judge of the Supreme Court, Appellate Court  
14 or Superior Court, one hundred eighteen thousand  
15 sixty-eight dollars; (C) each associate judge of  
16 the Supreme Court, one hundred thirteen thousand  
17 forty-two dollars; (D) the Chief Judge of the  
18 Appellate Court, one hundred eleven thousand six  
19 hundred dollars; (E) each judge of the Appellate  
20 Court, one hundred five thousand one hundred  
21 eleven dollars; (F) the Deputy Chief Court  
22 Administrator if he is a judge of the Superior

23 Court, one hundred two thousand eight hundred  
24 seventy-seven dollars; and (G) each judge of the  
25 Superior Court, one hundred thousand four hundred  
26 eleven dollars.]

27 [(2)] (1) On and after October 1, 1997, (A)  
28 the Chief Justice of the Supreme Court, one  
29 hundred twenty-six thousand forty-eight dollars;  
30 (B) the Chief Court Administrator if he is a judge  
31 of the Supreme Court, Appellate Court or Superior  
32 Court, one hundred twenty thousand four hundred  
33 thirty dollars; (C) each associate judge of the  
34 Supreme Court, one hundred fifteen thousand three  
35 hundred three dollars; (D) the Chief Judge of the  
36 Appellate Court, one hundred thirteen thousand  
37 eight hundred thirty-two dollars; (E) each judge  
38 of the Appellate Court, one hundred seven thousand  
39 two hundred fourteen dollars; (F) the Deputy Chief  
40 Court Administrator if he is a judge of the  
41 Superior Court, one hundred four thousand nine  
42 hundred thirty-five dollars; and (G) each judge of  
43 the Superior Court, one hundred two thousand four  
44 hundred twenty dollars.

45 [(3)] (2) On and after October 1, 1998, (A)  
46 the Chief Justice of the Supreme Court, one  
47 hundred twenty-eight thousand five hundred  
48 sixty-nine dollars; (B) the Chief Court  
49 Administrator if he is a judge of the Supreme  
50 Court, Appellate Court or Superior Court, one  
51 hundred twenty-two thousand eight hundred  
52 thirty-nine dollars; (C) each associate judge of  
53 the Supreme Court, one hundred seventeen thousand  
54 six hundred ten dollars; (D) the Chief Judge of  
55 the Appellate Court, one hundred sixteen thousand  
56 one hundred nine dollars; (E) each judge of the  
57 Appellate Court, one hundred nine thousand three  
58 hundred fifty-nine dollars; (F) the Deputy Chief  
59 Court Administrator if he is a judge of the  
60 Superior Court, one hundred seven thousand  
61 thirty-four dollars; and (G) each judge of the  
62 Superior Court, one hundred four thousand four  
63 hundred sixty-nine dollars.

64 (3) ON AND AFTER OCTOBER 1, 1999, (A) THE  
65 CHIEF JUSTICE OF THE SUPREME COURT, \_\_\_\_\_ DOLLARS;  
66 (B) THE CHIEF COURT ADMINISTRATOR IF HE IS A JUDGE  
67 OF THE SUPREME COURT, APPELLATE COURT OR SUPERIOR  
68 COURT, \_\_\_\_\_ DOLLARS; (C) EACH ASSOCIATE JUDGE OF  
69 THE SUPREME COURT, \_\_\_\_\_ DOLLARS; (D) THE CHIEF  
70 JUDGE OF THE APPELLATE COURT, \_\_\_\_\_ DOLLARS; (E)

71 EACH JUDGE OF THE APPELLATE COURT, \_\_\_\_\_ DOLLARS;  
72 (F) THE DEPUTY CHIEF COURT ADMINISTRATOR IF HE IS  
73 A JUDGE OF THE SUPERIOR COURT, \_\_\_\_\_ DOLLARS; AND  
74 (G) EACH JUDGE OF THE SUPERIOR COURT, \_\_\_\_\_  
75 DOLLARS.

76 Sec. 2. Section 52-434 of the general  
77 statutes, as amended by section 5 of public act  
78 97-40, section 4 of public act 97-178, section 38  
79 of public act 97-11 of the June 18 special session  
80 and section 5 of public act 97-1 of the July 21  
81 special session, is repealed and the following is  
82 substituted in lieu thereof:

83 (a) (1) Each judge of the Supreme Court, each  
84 judge of the Appellate Court, each judge of the  
85 Superior Court and each judge of the Court of  
86 Common Pleas who ceases or has ceased to hold  
87 office because of retirement other than under the  
88 provisions of section 51-49 and who is an elector  
89 and a resident of this state shall be a state  
90 referee for the remainder of his term of office as  
91 a judge and shall be eligible for appointment as a  
92 state referee during the remainder of his life in  
93 the manner prescribed by law for the appointment  
94 of a judge of the court of which he is a member.  
95 The Superior Court may refer any civil, nonjury  
96 case or with the written consent of the parties or  
97 their attorneys, any civil jury case pending  
98 before the court in which the issues have been  
99 closed to [such] a [state] JUDGE TRIAL referee who  
100 shall have and exercise the powers of the Superior  
101 Court in respect to trial, judgment and appeal in  
102 the case. The Superior Court may, with the consent  
103 of the parties or their attorneys, refer any  
104 criminal case to [such] a [state] JUDGE TRIAL  
105 referee who shall have and exercise the powers of  
106 the Superior Court in respect to trial, judgment,  
107 sentencing and appeal in the case, EXCEPT THAT THE  
108 SUPERIOR COURT MAY, EXCEPT FOR GOOD CAUSE SHOWN  
109 AND WITHOUT THE CONSENT OF THE PARTIES OR THEIR  
110 ATTORNEYS, REFER ANY CRIMINAL CASE, OTHER THAN A  
111 CLASS A OR B FELONY OR CAPITAL FELONY, TO A JUDGE  
112 TRIAL REFEREE TO PRESIDE OVER THE JURY SELECTION  
113 PROCESS AND ANY VOIR DIRE EXAMINATION CONDUCTED IN  
114 SUCH CASE. (2) Each judge of the Circuit Court who  
115 has ceased to hold office because of retirement  
116 other than under the provisions of section 51-49  
117 and who is an elector and a resident of this state  
118 shall be a state referee for the remainder of his

119 term of office as a judge and shall be eligible  
120 for appointment as a state referee during the  
121 remainder of his life in the manner prescribed by  
122 law for the appointment of a judge of the court of  
123 which he is a member, to whom the Superior Court  
124 may, with the written consent of the parties or  
125 their attorneys, refer any case pending in court  
126 in which the issues have been closed and which the  
127 judges of the Superior Court may establish by rule  
128 to be the kind of case which may be heard by such  
129 referees WHO HAVE BEEN APPOINTED JUDGE TRIAL  
130 REFEREES PURSUANT TO SUBSECTION (b). The JUDGE  
131 TRIAL referee shall hear any such case so referred  
132 and report the facts to the court by which the  
133 case was referred. (3) Each judge of the Juvenile  
134 Court who ceases or has ceased to hold office  
135 because of retirement other than under the  
136 provisions of section 51-49 and who is an elector  
137 and a resident of this state shall be a state  
138 referee for the remainder of his term of office as  
139 a judge and shall be eligible for appointment as a  
140 state referee during the remainder of his life in  
141 the manner prescribed by law for the appointment  
142 of a judge of the court of which he is a member,  
143 to whom a judge before whom any juvenile matter is  
144 pending may, with the written consent of the child  
145 concerned, either of his parents or his guardian  
146 or his attorney, refer any juvenile matter  
147 pending, PROVIDED SUCH REFEREE HAS BEEN APPOINTED  
148 A JUDGE TRIAL REFEREE SPECIFICALLY DESIGNATED TO  
149 HEAR JUVENILE CASES PURSUANT TO SUBSECTION (b).  
150 The JUDGE TRIAL referee shall hear any matter so  
151 referred and report the facts to the court for the  
152 district from which the matter was referred. (4)  
153 In addition to the [state] JUDGE TRIAL referees  
154 who are appointed pursuant to subdivision (1), (2)  
155 or (3) of this subsection, the Chief Justice may  
156 appoint, from qualified members of the bar of the  
157 state, who are electors and residents of this  
158 state, as many state referees as he may from time  
159 to time deem advisable or necessary. No  
160 appointment of a member of the bar may be for a  
161 term of more than three years. Notwithstanding the  
162 provisions of subsection (f) of this section,  
163 state referees appointed by the Chief Justice from  
164 members of the bar shall receive such reasonable  
165 compensation and expenses as may be determined by  
166 the Chief Justice.

167 (b) The Chief Justice may designate, from  
168 among the state referees, judge trial referees to  
169 whom criminal and civil cases and juvenile matters  
170 may be referred. Criminal cases and civil cases of  
171 an adversary nature shall be referred only to  
172 state referees who are designated as JUDGE trial  
173 referees. Juvenile matters shall be referred only  
174 to JUDGE trial referees who are specifically  
175 designated to hear juvenile cases. No such  
176 designation may be for a term of more than one  
177 year.

178 (c) Each hearing by a [state] JUDGE TRIAL  
179 referee shall be held in a suitable room, to be  
180 provided by the Office of the Chief Court  
181 Administrator, in a courthouse in the judicial  
182 district where the case is pending unless the  
183 parties or their attorneys stipulate in writing  
184 that the hearing may be held elsewhere.

185 (d) Each [state] JUDGE TRIAL referee may have  
186 the attendance of a sheriff or deputy sheriff at  
187 any hearing before him. The sheriff or deputy  
188 sheriff shall receive the same compensation  
189 provided for attendance at regular sessions of the  
190 court from which the case was referred and such  
191 compensation shall be taxed by the state referee  
192 in the same manner as similar costs are taxed by  
193 the judges of the court.

194 (e) Each [state] JUDGE TRIAL referee may  
195 compel the attendance of any witness summoned to  
196 appear before him at any hearing, in the same  
197 manner as the attendance of any witness may be  
198 compelled in the Superior Court, and may punish  
199 for any act of contempt committed in his presence  
200 while engaged in the hearing in the same manner  
201 and to the same extent as judges of the Superior  
202 Court.

203 [(f) (1) Each state referee shall receive,  
204 for acting as a referee or as a single auditor or  
205 committee of any court or for performing duties  
206 assigned by the Chief Court Administrator with the  
207 approval of the Chief Justice, in addition to the  
208 retirement salary, the sum of one hundred sixty  
209 dollars and expenses, including mileage, for each  
210 day a state referee is so engaged, said sums to be  
211 taxed by the court making the reference in the  
212 same manner as other court expenses.]

213 [(2)] (f) (1) On and after October 1, 1997,  
214 each [state] JUDGE TRIAL referee shall receive,

215 for acting as a referee or as a single auditor or  
216 committee of any court or for performing duties  
217 assigned by the Chief Court Administrator with the  
218 approval of the Chief Justice, in addition to the  
219 retirement salary, the sum of one hundred seventy  
220 dollars and expenses, including mileage, for each  
221 day a state referee is so engaged, said sums to be  
222 taxed by the court making the reference in the  
223 same manner as other court expenses.

224 [(3)] (2) On and after October 1, 1998, each  
225 [state] JUDGE TRIAL referee shall receive, for  
226 acting as a referee or as a single auditor or  
227 committee of any court or for performing duties  
228 assigned by the Chief Court Administrator with the  
229 approval of the Chief Justice, in addition to the  
230 retirement salary, the sum of one hundred  
231 seventy-five dollars and expenses, including  
232 mileage, for each day a state referee is so  
233 engaged, said sums to be taxed by the court making  
234 the reference in the same manner as other court  
235 expenses.

236 (g) A judge trial referee may participate in  
237 an alternative dispute resolution program approved  
238 by STA-FED ADR, Inc. in any year commencing July  
239 first provided such referee performed the duties  
240 of a judge trial referee or a senior judge for at  
241 least seventy-five days during the preceding year,  
242 except that (1) for the year commencing July 1,  
243 1993, a judge trial referee may participate in  
244 said alternative dispute resolution program  
245 without having performed the duties of a judge  
246 trial referee or senior judge for seventy-five  
247 days during the preceding year and (2) a judge  
248 trial referee may participate in said alternative  
249 dispute resolution program from the date such  
250 referee assumes such status, through the  
251 completion of the year commencing July first  
252 following such date without having satisfied the  
253 seventy-five-day requirement. Any judge trial  
254 referee who participates in said alternative  
255 dispute resolution program pursuant to subsection  
256 (g) of section 51-50c without having satisfied the  
257 seventy-five-day requirement set forth in said  
258 subsection shall not be eligible to participate in  
259 said program pursuant to this subsection without  
260 having satisfied the seventy-five-day requirement  
261 set forth in this subsection.

262 Sec. 3. Subsection (a) of section 51-50c of  
263 the general statutes is repealed and the following  
264 is substituted in lieu thereof:

265 (a) (1) Any senior judge of the Supreme Court  
266 may be designated and assigned by the Chief  
267 Justice or the Chief Court Administrator to  
268 perform such judicial duties in the Supreme Court  
269 or by the Chief Court Administrator to perform  
270 such judicial duties in the Superior Court, as he  
271 is willing to undertake.

272 (2) ANY SENIOR JUDGE OF THE APPELLATE COURT  
273 MAY BE DESIGNATED AND ASSIGNED BY THE CHIEF JUDGE  
274 OF THE APPELLATE COURT OR THE CHIEF COURT  
275 ADMINISTRATOR TO PERFORM SUCH JUDICIAL DUTIES IN  
276 THE APPELLATE COURT OR BY THE CHIEF COURT  
277 ADMINISTRATOR TO PERFORM SUCH JUDICIAL DUTIES IN  
278 THE SUPERIOR COURT, AS HE IS WILLING TO UNDERTAKE.

279 Sec. 4. Subsection (h) of section 46b-231 of  
280 the general statutes, as amended by section 6 of  
281 public act 97-1 of the July 21 special session, is  
282 repealed and the following is substituted in lieu  
283 thereof:

284 [(h) (1) On and after July 1, 1996, the Chief  
285 Family Support Magistrate shall receive a salary  
286 of seventy-seven thousand two hundred twenty-four  
287 dollars, and other family support magistrates  
288 shall receive an annual salary of seventy-two  
289 thousand four hundred twenty-nine dollars.

290 (2)] (h) (1) On and after October 1, 1997,  
291 the Chief Family Support Magistrate shall receive  
292 a salary of seventy-eight thousand seven hundred  
293 sixty-nine dollars, and other family support  
294 magistrates shall receive an annual salary of  
295 seventy-three thousand eight hundred seventy-eight  
296 dollars.

297 [(3) On and after October 1, 1998, the Chief  
298 Family Support Magistrate shall receive a salary  
299 of eighty thousand three hundred forty-five  
300 dollars, and other family support magistrates  
301 shall receive an annual salary of seventy-five  
302 thousand three hundred fifty-six dollars.]

303 (2) ON AND AFTER JULY 1, 1998, THE CHIEF  
304 FAMILY SUPPORT MAGISTRATE SHALL RECEIVE AN ANNUAL  
305 SALARY OF TEN THOUSAND DOLLARS LESS THAN THE  
306 HIGHEST STEP OF A JUDGE OF THE SUPERIOR COURT, AND  
307 OTHER FAMILY SUPPORT MAGISTRATES SHALL RECEIVE AN  
308 ANNUAL SALARY OF FIFTEEN THOUSAND DOLLARS LESS

309 THAN THE HIGHEST STEP OF A JUDGE OF THE SUPERIOR  
310 COURT.

311 Sec. 5. Subsection (b) of section 46b-236 of  
312 the general statutes is repealed and the following  
313 is substituted in lieu thereof:

314 (b) Each family support referee shall  
315 receive, for acting as a family support referee,  
316 in addition to the retirement salary, the sum of  
317 one hundred [sixty] SEVENTY-FIVE dollars and  
318 expenses, including mileage, for each day a family  
319 support referee is so engaged.

320 Sec. 6. Section 51-49h of the general  
321 statutes is repealed and the following is  
322 substituted in lieu thereof:

323 (a) Any judge of the Superior Court, the  
324 Appellate Court or the Supreme Court who first  
325 commenced service as a judge prior to January 1,  
326 1981, may elect to receive the retirement salary  
327 provided under subsection (b) of section 51-50.  
328 The surviving spouse of a deceased judge who has  
329 made an election under this section shall receive  
330 the allowances provided under subsection (b) of  
331 section 51-51.

332 (b) Any such judge, [or] any family support  
333 magistrate OR ANY COMPENSATION COMMISSIONER who is  
334 a veteran may receive credit for retirement  
335 purposes for military service, if such judge, [or]  
336 family support magistrate OR COMPENSATION  
337 COMMISSIONER makes retirement contributions for  
338 each month of military service equal to  
339 one-twelfth of five per cent of his first year's  
340 salary as a judge, [or] family support magistrate  
341 OR COMPENSATION COMMISSIONER multiplied by the  
342 total number of months of such military service,  
343 except that (1) no retirement contribution shall  
344 be made for service as a prisoner of war and (2)  
345 no credit shall be allowed for military service to  
346 any such judge, [or] family support magistrate OR  
347 COMPENSATION COMMISSIONER who has served less than  
348 ten years as a judge, [or] family support  
349 magistrate OR COMPENSATION COMMISSIONER, nor for  
350 more than fifty per cent of such military service  
351 or three years, whichever is less. Service credit  
352 for military service for retirement purposes other  
353 than service as a prisoner of war shall not be  
354 granted until payment of contributions is  
355 completed. Any application for military service  
356 credit under this section for service as a



357 prisoner of war shall be accompanied by sufficient  
358 proof from the Veterans' Administration of the  
359 United States that such judge, [or] family support  
360 magistrate OR COMPENSATION COMMISSIONER is a  
361 former prisoner of war.

362 (c) For purposes of this section: (1) "Armed  
363 forces" means the United States Army, Navy, Marine  
364 Corps, Coast Guard and Air Force; (2) "veteran"  
365 means any person honorably discharged from, or  
366 released under honorable conditions from active  
367 service in, the armed forces; (3) "military  
368 service" shall be service during World War II,  
369 December 7, 1941, to December 31, 1946; the Korean  
370 hostilities, June 27, 1950, to October 27, 1953;  
371 and the Vietnam era, January 1, 1964, to July 1,  
372 1975, and shall include service as a prisoner of  
373 war.

374 JUD COMMITTEE VOTE: YEA 35 NAY 0 JFS

\* \* \* \* \*

"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

\* \* \* \* \*

## FISCAL IMPACT STATEMENT - BILL NUMBER sSB 566

STATE IMPACT	Cost, Indeterminate	Cost, see
	explanation below	

MUNICIPAL IMPACT None

STATE AGENCY(S)           Judicial       Department,       Workers'  
                                  Compensation   Commission,    State  
                                  Comptroller

EXPLANATION OF ESTIMATES:

The bill's provisions concerning salary increases for family support magistrates would result in a cost of \$95,271 based upon the bill's effective date of 10/1/98 rather than the date specified in the bill of 7/1/98. The full-year cost would be \$130,378.

Increasing the per diem of family support referees from \$160 to \$175 in addition to retirement salary would result in an estimated annual cost of \$1,400. This does not assume an increase in utilization of these per diems.

The provision allowing trial judge referees to conduct jury selection and voir dire examination without the parties consent would result in more efficient processing of cases and a reduction in case backlog pressures.

In addition, the bill adds compensation commissioners to those eligible to purchase retirement credit for military service under the retirement system for judges, family support magistrates and compensation commissioners. The number of compensation commissioners eligible to purchase military service is not known at

this time. There will be an increased cost to the retirement system resulting from any purchase because the required payment does not cover the cost of the enhanced benefit. However, the fiscal impact of this type of purchase is a function of the member's age and service and cannot be determined at this time.

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### OLR BILL ANALYSIS

sSB 566

#### **AN ACT CONCERNING JUDGES, MAGISTRATES, REFEREES AND COMPENSATION COMMISSIONERS**

**SUMMARY:** This bill increases the salaries of Superior Court judges and workers' compensation commissioners by an unspecified amount effective October 1, 1999. It gives family support magistrates two salary increases ranging from 17 to 19% effective July 1, 1998 (see COMMENT) and October 1, 1998. The bill also increases the per-day fee paid to family support referees from \$160 to \$175.

The bill allows state judge trial referees to preside over jury selection and voir dire in criminal cases without the consent of the parties, and it specifies that only judge trial referees rather than all referees may preside over civil and criminal trials. It also allows Appellate Court judges who take senior status to be assigned judicial duties in the Appellate Court or Superior Court that they are willing to undertake.

Finally, the bill allows workers' compensation commissioners to purchase military service credit for retirement purposes.

EFFECTIVE DATE: October 1, 1998

#### **FURTHER EXPLANATION**

##### **Judges' and Compensation Commissioners' Salary Increase**

The bill contains the language to grant a salary increase to Superior Court judges, which includes all Supreme and Appellate Court and administrative judges, effective October 1, 1999, but it does not include the

dollar amounts of the increases. Because the law ties the salaries of worker's compensation commissioners to those of Superior Court judges and sets them at specified amounts below judges' salaries, depending on length of service, if the bill contained dollar amounts of increase, it would increase commissioners' salaries. If it had dollar amounts, it would also increase judges retirement benefits. Under current law judges and compensation commissioners are scheduled to receive a pay increase on October 1, 1998.

### **Family Support Magistrate Salary Increase**

The bill ties the salaries of the chief family support magistrate and the other family support magistrates to the salaries of Superior Court judges rather than specifying the salary amounts in statute. For the chief it is \$10,000 less than the "highest step" of a Superior Court judge's salary (see COMMENT) and for a regular magistrate it is \$15,000 less.

Based on what magistrates are currently paid and what they will earn under a salary increase scheduled to take effect on October 1, 1998, the increases provided by the bill are as follows:

### **Family Support Magistrate Salaries**

	<u>Current</u>	<u>7/1/98</u>	<u>10/1/98</u>
Chief Family Support Magistrate	\$78,769	\$92,420	\$94,469
Family Support Magistrate	73,878	87,420	89,469

These new salaries represent increases of 17% on July 1 and 17.5% on October 1 for the chief family support magistrate and 18% on July 1 and 19% on October 1 for family support magistrates.

### **Judge Trial Referee Jurisdiction**

The bill authorizes the court to refer criminal cases, other than capital, class A, and class B felonies, to a trial judge referee for jury selection and voir dire examination without the consent of the parties or their

attorneys. The court could not make such a referral if good cause were shown as to why it should not occur. The bill also specifies that only judge trial referees, not all referees, can preside over civil and criminal cases that are referred to them.

### **Senior Appellate Court Judges**

The bill specifically allows senior Appellate Court judges to be assigned by the chief judge of the Appellate Court or by the chief court administrator to judicial duties they are willing to undertake in either the Appellate or Superior Court. With some restrictions, referees who were Supreme and Appellate Court judges can already be assigned to Appellate Court cases.

### **Compensation Commissioner Military Service Credit**

By law, judges who began service prior to January 1, 1981 and family support magistrates can, with certain conditions and restrictions, purchase military service credit for retirement purposes. This bill allows workers' compensation commissioners to do so as well.

As with the judges and family support magistrates, a compensation commissioner must have served for at least 10 years and the amount that may be purchased is limited to 50% of the military service or three years, whichever is less. Credit for time served as a prisoner of war is granted without payment of the retirement contribution. The compensation commissioner must pay one-twelfth of 5% of his first years salary for each month of military service credit purchased.

For purposes of this provision, military service means World War II, December 7, 1941 to December 31, 1946; the Korean hostilities, June 27, 1950 to October 27, 1953; and the Vietnam era, January 1, 1964 to July 1, 1975. (The date for the beginning of Vietnam era service that applies to the State Employees Retirement and Municipal Employees Retirement Systems is December 22, 1961.)

### **BACKGROUND**

#### **Senior Judges and Referees**

A judge who retires before the age of 70 (and who is a state resident and elector) becomes a senior judge for the rest of his appointed term and is eligible for reappointment as a senior judge. He can be designated or assigned by the chief court administrator to perform judicial duties he is willing to undertake.

Once a judge or senior judge reaches age 70, he automatically becomes a state referee for the remainder of his appointed term, and he can be subsequently reappointed a state referee as long as he remains an elector and resident. Senior judges and referees are paid a per diem fee plus expenses for time they serve.

#### **COMMENT**

##### **Effective Date**

The salary increase for family support magistrates takes effect July 1, 1998, but the bill itself takes effect October 1, 1998.

##### **Highest Step of a Judge**

The bill links the salaries of family support magistrates to the "highest step of a judge of the Superior Court." But regular judges all receive the same salary. The only judges who receive more are those who are also Appellate Court judges or Supreme Court associate judges or those who hold particular positions such as the chief judge of the Appellate Court, the Chief Justice of the Supreme Court or the chief or deputy chief court administrator. If "step" were interpreted to mean these levels, the Chief Justice's salary would be the highest and it would result in a larger salary increase for the family support magistrates.

#### **COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute  
Yea 35      Nay 0